

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PERSONALIZED MEDIA
COMMUNICATIONS, LLC,

Plaintiff,

V.

GOOGLE LLC,

AKAMAI TECHNOLOGIES, INC.

NETFLIX, INC.

Defendants.

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CIVIL ACTION NO. 2:19-CV-00090-JRG
(Lead Case)

CIVIL ACTION NO. 2:19-CV-00089-JRG
(Member Case)

CIVIL ACTION NO. 2:19-CV-00091-JRG
(Member Case)

ORDER


Before the Court is the Joint Motion to Dismiss Pursuant to Rule 41(a)(2) filed by Plaintiff Personalized Media Communications, LLC (“PMC”) and Defendant Akamai Technologies, Inc. (“Akamai”) (collectively, “the Parties”). (Dkt. No. 139). In the Motion, the Parties represent that they “have resolved PMC’s claims for relief against Akamai and Akamai’s potential claims, counterclaims, and/or defenses against PMC in this case.” (*Id.* at 1). Accordingly, the Parties “request this Court to dismiss Plaintiff’s claims for relief against Defendants [sic] with prejudice and Defendants’ [sic] potential claims, defenses, and/or counterclaims for relief against PMC without prejudice, and with all attorneys’ fees, costs of court, and expenses borne by the party incurring the same.” (*Id.*)

Having considered the Motion, the Court finds that it should be and hereby is **GRANTED**. The Court **ORDERS** that PMC's claims against Akamai in the above-captioned cases are **DISMISSED WITH PREJUDICE**. Akamai's "potential claims, defenses, and/or counterclaims

for relief against PMC” in the above-captioned cases are **DISMISSED WITHOUT PREJUDICE**. Each Party shall bear its own costs, expenses, and attorneys’ fees. All pending requests for relief in Member Case No. 2:19-cv-89-JRG are **DENIED AS MOOT**. The Clerk of the Court is directed to **CLOSE** Member Case No. 2:19-cv-89-JRG, and to terminate Akamai as a defendant in Lead Case No. 2:19-cv-90-JRG.

So Ordered this

Dec 27, 2019



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

